

*Amara Lott*

City Attorney

2018 SEP 13 PM 1:16

# OAKLAND CITY COUNCIL

RESOLUTION No. **87349** C.M.S.

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR DESIGNEE TO: EXTEND THE EXISTING CONTRACT WITH DR. HERBERT GENE HERN DOING BUSINESS AS (DBA) "EMERGENTT CONSULTING" TO PROVIDE THE SERVICES OF MEDICAL DIRECTOR FOR THE OAKLAND FIRE DEPARTMENT FOR AN ADDITIONAL ONE (1) YEAR PERIOD BEGINNING OCTOBER 1, 2018 THROUGH SEPTEMBER 30, 2019 IN AN AMOUNT NOT TO EXCEED SIXTY-FIVE THOUSAND TWO HUNDRED THIRTY-THREE DOLLARS AND THIRTY-THREE CENTS (\$65,233.33)**

**WHEREAS**, on June 1, 2000, the Fire Department began providing Advanced Life Support (ALS) services to the City's residents and visitors; and

**WHEREAS**, the current Medical Director (Dr. Hern) was selected through the City's formal RFP process in 2015 and has served in this capacity since October 1, 2011, meeting the needs of the Department, including the requirement for a physician to authorize the ordering and resupply of controlled substances used by Department paramedics in treating patients; and

**WHEREAS**, Dr. Hern has provided exceptional clinical oversight of the Department's Paramedics by serving as the lead during call reviews for those EMS requests where questions or issues arise and Dr. Hern has the historical and institutional knowledge of the Department related to system issues that require clinical training as well as individual paramedics who require performance improvement plans; and

**WHEREAS**, the Medical Director works closely with the staff of the Medical Services Division to develop and provide timely instruction on the advances in emergency medicine that occur on a continual basis; and

**WHEREAS**, by serving as the medical authority in call reviews, the medical director ensures that appropriate levels of remediation occur when issues arise after Department paramedics have provided clinical care on an EMS response; and

**WHEREAS**, the current Medical Director's contract expires September 30, 2018; and

**WHEREAS**, Dr. Hern was the only vendor who responded to the Request for Proposals made in July, 2015 which resulted in the current contract; and

**WHEREAS**, during his time as the Medical Director, Dr. Hern has been instrumental in maintaining the Department's Accredited Center of Excellence (ACE) status, which is required by Medical Priority Dispatch Services (MPDS); and

**WHEREAS**, the City Administrator has determined that this contract is of a professional and temporary nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive civil service; and

**WHEREAS**, for the period of October 1, 2018 through June 30, 2019 funding for the professional services contract with Dr. Gene Hern, doing business as "Emergent Consulting", is included in the FY 2018-19 Adopted Budget and is appropriated in Measure N Fund (2250), Measure N Paramedic (20912), Project (1000009), Emergency Medical Response (PS19); and, now therefore be it

**RESOLVED:** That the City Council authorizes the City Administrator or her designee to extend the agreement with Dr. Herbert Gene Hern, MD to provide the services of Medical Director for the Oakland Fire Department, for the period beginning October 1, 2018 through September 30, 2019, in an amount not to exceed \$65,233.33; and be it

**FURTHER RESOLVED:** That the City Administrator or her designee is hereby authorized to complete all required negotiations, certifications, assurances, and documentation required to accept, modify, extend and/or amend this agreement; and be it

**FURTHER RESOLVED:** That the City Attorney shall review and approve said agreement as to form and legality and copies of said agreement shall be filed with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, SEP 17, 2018

**PASSED BY THE FOLLOWING VOTE:**

~~BROOKS~~ CAMPBELL-WASHINGTON, GALLO, ~~GILSON~~ ~~MCLELLAN~~ GUILLÉN, KALB, KAPLAN, and  
PRESIDENT REID -6

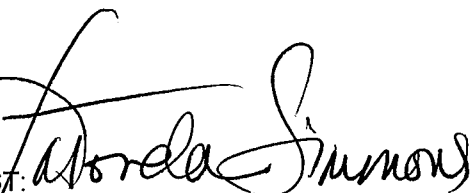
NOES- 0

ABSENT- 1 McElhenney

ABSTENTION-

Excused - 1 Brooks

ATTEST:



LaTonda Simmons  
City Clerk and Clerk of the  
Council of the City of Oakland, California